

# HOUSE JOURNAL

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SEVENTY-NINTH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

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TWENTY-THIRD DAY — THURSDAY, FEBRUARY 24, 2005

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 32).

Present — Mr. Speaker; Allen, A.; Allen, R.; Alonzo; Anchia; Anderson; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Tourelles; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Oliveira; Olivo; Orr; Otto; Paxton; Peña; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Absent, Excused — Bailey; Denny.

Absent — Hilderbran; Phillips.

The invocation was offered by Dr. William R. Anderson, pastor, First Baptist Church, Euless.

The speaker recognized Representative T. Smith who led the house in the pledges of allegiance to the United States and Texas flags.

### LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence for today because of important business in the district:

Bailey on motion of Thompson.

Denny on motion of Hunter.

**REGULAR ORDER OF BUSINESS SUSPENDED**

On motion of Representative F. Brown and by unanimous consent, the reading and referral of bills was postponed until just prior to adjournment.

**CAPITOL PHYSICIAN**

The speaker recognized Representative Corte who presented Dr. Sandra Guerrero of San Antonio as the "Doctor for the Day."

The house welcomed Dr. Guerrero and thanked her for her participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

**HR 502 - ADOPTED  
(by T. Smith)**

Representative T. Smith moved to suspend all necessary rules to take up and consider at this time **HR 502**.

The motion prevailed.

The following resolution was laid before the house:

**HR 502**, Recognizing William Emory Anderson, Jr., as Pastor of the Day.

**HR 502** was adopted.

On motion of Representative Elkins, the names of all the members of the house were added to **HR 502** as signers thereof.

(Phillips now present)

(Miller in the chair)

**HR 495 - ADOPTED  
(by Dutton)**

Representative Dutton moved to suspend all necessary rules to take up and consider at this time **HR 495**.

The motion prevailed.

The following resolution was laid before the house:

**HR 495**, Congratulating Susie Lewis of Houston on her 100th birthday.

(Speaker in the chair)

**HR 495** was adopted.

On motion of Representative Dutton, the names of all the members of the house were added to **HR 495** as signers thereof.

**HR 459 - ADOPTED  
(by Pickett, P. Moreno, Haggerty, Chavez, and Quintanilla)**

Representative Pickett moved to suspend all necessary rules to take up and consider at this time **HR 459**.

The motion prevailed.

The following resolution was laid before the house:

**HR 459**, Recognizing February 23 and 24, 2005, as El Paso Days at the State Capitol.

**HR 459** was read and was adopted.

#### **INTRODUCTION OF GUEST**

The speaker recognized Representative Pickett who introduced Joe Wardy, mayor of El Paso.

#### **LEAVE OF ABSENCE GRANTED**

The following member was granted leave of absence for the remainder of today because of important business in the district:

Farrar on motion of Rodriguez.

#### **HR 471 - ADOPTED (by Gallego)**

Representative Gallego moved to suspend all necessary rules to take up and consider at this time **HR 471**.

The motion prevailed.

The following resolution was laid before the house:

**HR 471**, Honoring the Del Rio Chamber of Commerce on the occasion of its annual banquet.

**HR 471** was adopted.

#### **HR 494 - ADOPTED (by Goolsby)**

Representative Goolsby moved to suspend all necessary rules to take up and consider at this time **HR 494**.

The motion prevailed.

The following resolution was laid before the house:

**HR 494**, Honoring U.S. Secretary of Education Margaret Spellings.

**HR 494** was adopted.

On motion of Representative Merritt, the names of all the members of the house were added to **HR 494** as signers thereof.

#### **HR 477 - ADOPTED (by M. Noriega)**

Representative M. Noriega moved to suspend all necessary rules to take up and consider at this time **HR 477**.

The motion prevailed.

The following resolution was laid before the house:

**HR 477**, Welcoming the National Council of La Raza and its Texas affiliates to the State Capitol on February 24, 2005.

**HR 477** was read and was adopted.

(Hilderbran now present)

**HR 509 - ADOPTED**  
**(by Dukes)**

Representative Dukes moved to suspend all necessary rules to take up and consider at this time **HR 509**.

The motion prevailed.

The following resolution was laid before the house:

**HR 509**, Commemorating the dedication of the Girl Scouts-Lone Star Council's new Jeff and Gail Kodosky Program Center in Austin.

**HR 509** was adopted.

**MESSAGE FROM THE SENATE**

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

**HR 511 - ADOPTED**  
**(by Dawson)**

Representative Dawson moved to suspend all necessary rules to take up and consider at this time **HR 511**.

The motion prevailed.

The following resolution was laid before the house:

**HR 511**, Honoring State Representative Dennis Bonnen and Kim Bonnen of Angleton on the birth of their son, David Jackson Carmichael Bonnen.

(Guillen in the chair)

**HR 511** was adopted.

**INTRODUCTION OF GUESTS**

The chair recognized Representative Dawson who introduced Representative Bonnen's wife Kim and their son David Jackson Carmichael Bonnen.

**HR 169 - ADOPTED**  
**(by Otto)**

Representative Otto moved to suspend all necessary rules to take up and consider at this time **HR 169**.

The motion prevailed.

The following resolution was laid before the house:

**HR 169**, Honoring Thomas Walter McMullan on his 50 years of service to the Devers ISD Board of Trustees.

**HR 169** was read and was adopted.

On motion of Representative Orr, the names of all the members of the house were added to **HR 169** as signers thereof.

### **INTRODUCTION OF GUESTS**

The chair recognized Representative Otto who introduced Thomas Walter McMullan and his wife Ruth.

#### **HR 466 - ADOPTED (by Gonzalez Tourelles)**

Representative Gonzalez Tourelles moved to suspend all necessary rules to take up and consider at this time **HR 466**.

The motion prevailed.

The following resolution was laid before the house:

**HR 466**, Honoring U.S. Marine Corps Reservist Octaviano Suarez, Jr., of Premont for his service in Iraq.

**HR 466** was adopted.

#### **HR 478 - ADOPTED (by Y. Davis)**

Representative Y. Davis moved to suspend all necessary rules to take up and consider at this time **HR 478**.

The motion prevailed.

The following resolution was laid before the house:

**HR 478**, In memory of Sophia Williams of Tyler.

(Speaker pro tempore in the chair)

**HR 478** was unanimously adopted by a rising vote.

#### **HR 517 - ADOPTED (by Hughes)**

Representative Hughes moved to suspend all necessary rules to take up and consider at this time **HR 517**.

The motion prevailed.

The following resolution was laid before the house:

**HR 517**, Recognizing the Young Conservatives of Texas on its 25th anniversary.

**HR 517** was adopted.

**HR 519 - ADOPTED****(by R. Cook)**

Representative R. Cook moved to suspend all necessary rules to take up and consider at this time **HR 519**.

The motion prevailed.

The following resolution was laid before the house:

**HR 519**, In memory of U.S. Army Specialist Clinton R. Gertson of Eagle Lake.

**HR 519** was read and was unanimously adopted by a rising vote.

On motion of Representative Geren, the names of all the members of the house were added to **HR 519** as signers thereof.

**HR 272 - ADOPTED****(by Kolkhorst)**

Representative Kolkhorst moved to suspend all necessary rules to take up and consider at this time **HR 272**.

The motion prevailed.

The following resolution was laid before the house:

**HR 272**, Recognizing February 24, 2005, as Austin County Day.

**HR 272** was read and was adopted.

**HR 73 - ADOPTED****(by Kolkhorst)**

Representative Kolkhorst moved to suspend all necessary rules to take up and consider at this time **HR 73**.

The motion prevailed.

The following resolution was laid before the house:

**HR 73**, Commemorating San Felipe as the birthplace of the Texas Rangers.

**HR 73** was adopted.

**INTRODUCTION OF GUESTS**

The chair recognized Representative Kolkhorst who introduced a delegation from Austin County.

**INTRODUCTION OF GUEST**

The chair recognized Representative Corte who introduced Jose H. Gomez, Archbishop of the Archdiocese of San Antonio.

(Edwards in the chair)

**HR 508 - ADOPTED**  
**(by Mowery)**

Representative Mowery moved to suspend all necessary rules to take up and consider at this time **HR 508**.

The motion prevailed.

The following resolution was laid before the house:

**HR 508**, Recognizing February 24, 2005, as Texas Women's Alliance Day at the State Capitol.

(Speaker in the chair)

**HR 508** was read and was adopted.

**INTRODUCTION OF GUESTS**

The speaker recognized Representative Mowery who introduced members of the Texas Women's Alliance.

**BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER**

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 13).

(Edwards in the chair)

**CONGRATULATORY AND MEMORIAL CALENDAR**

The following congratulatory resolutions were laid before the house:

**HR 202** (by Chavez), Honoring Mona Loper of El Paso for her contributions to the sport of bowling.

**HR 204** (by Crownover), Congratulating Jim Swan of Sanger on his induction into the Retriever Hall of Fame.

**HR 207** (by Corte), Honoring Susie Ransleben Villarreal of San Antonio on her retirement from the Texas Department of Transportation.

**HR 210** was withdrawn.

**HR 211** was withdrawn.

**HR 214** (by Hodge), Honoring Wendy Rohne of Dallas on her many contributions to her community.

**HR 215** (by Goodman, Zedler, and Grusendorf), Honoring the City of Arlington.

**HR 217** (by Farabee), Honoring Dawn and Jim Haddox on the birth of their baby boy and recognizing Kenneth Alexander Haddox as an Honorary Texan.

**HR 220** (by Baxter), Honoring Dr. Rodolfo Alamia for being named by the American Diabetes Association-Capital Area as its 2005 Patient Advocate.

**HR 222** (by Raymond), Honoring Pete Astudillo.

**HR 223** (by Geren), Honoring A. Dwain Mayfield on the occasion of his retirement from Lockheed Martin Aeronautics Company in Fort Worth.

**HR 227** (by Goolsby), Honoring Senior Corporal Lance Crawford on being named the Dallas Police Association's 2004 Cops' Cop.

**HR 229** (by Dawson), Congratulating Renee McGuire on being named 2004 Citizen of the Year by the Pearland Chamber of Commerce.

**HR 230** (by Dawson), Congratulating Gary Bucek on earning the Chairman's Award from the Pearland Chamber of Commerce.

**HR 231** (by Dawson), Congratulating the Pearland Independent School District on being named 2004 Member of the Year by the Pearland Chamber of Commerce.

**HR 232** (by Dawson), Congratulating A & A Cleaning Services on earning the 2004 Business of the Year Award from the Pearland Chamber of Commerce.

**HR 233** (by Dawson), Congratulating Steve Friedman on being named 2004 Ambassador of the Year by the Pearland Chamber of Commerce.

**HR 234** (by Hamilton), Honoring Lola Burgess on her retirement as executive vice president of the Silsbee Chamber of Commerce.

**HR 238** (by Gonzalez Toureilles), Honoring Emily Shane of Beeville on her selection to the Texas Music Educators Association Women's All-State Choir for 2005.

**HR 239** (by Gonzalez Toureilles), Congratulating Eric Latcham of A. C. Jones High School in Beeville for being named to the All-State Academic Football Team by the Texas High School Coaches Association.

**HR 240** (by Crownover), Honoring Tom Harpool for his contributions to the Denton community.

**HR 241** (by Bonnen), Honoring Joseph Hughes Snow on being presented the Angleton Chamber of Commerce Pioneer Award.

**HR 248** (by Peña, Gonzales, and Escobar), Congratulating Edinburg fire chief Shawn Michael Snider on his election as fourth vice president of the State Firemen's and Fire Marshals' Association of Texas.

**HR 250** (by Peña, Gonzales, and Escobar), Honoring Dr. Blandina Cardenas on her selection as president of The University of Texas-Pan American.

**HR 254** was withdrawn.

**HR 256** (by Raymond), Honoring Los Pepitos Schoolhouse of Laredo, its current staff and leader, Rosalinda Gonzalez, and the memory of its founder, Maria de Socorro Ruiz Gonzalez.

**HR 259** was withdrawn.

**HR 260** was withdrawn.

**HR 262** was previously adopted.

**HR 263** was previously adopted.

**HR 265** (by Naishtat), Congratulating Donald M. Loving on his retirement as executive director of Communities in Schools-Central Texas, Inc., in Austin.

**HR 270** was withdrawn.

**HR 274** (by Kolkhorst), Honoring Andra Manson of Brenham for his track and field accomplishments.

**HR 275** was withdrawn.

**HR 282** (by Y. Davis), Congratulating Dr. Mamie McKnight on her receipt of the Profiles in Leadership Award of the SMU Women's Symposium.

**HR 286** (by Berman), Honoring Richard J. DeSanto for his exceptional leadership as chairman of the Mental Health Corporations of America, Inc., Board of Directors.

**HR 287** was previously adopted.

**HR 289** (by Dawson), Congratulating Carol Sue Gibbs of Bay City on being selected the 2004 Woman of the Year by the Bay City Chamber of Commerce and Agriculture.

**HR 290** (by Dawson), Congratulating Kenneth Thames of Bay City on being named 2004 Man of the Year by the Bay City Chamber of Commerce and Agriculture.

**HR 291** (by Dawson), Congratulating Clare Bowman on being named Educator of the Year by the Bay City Chamber of Commerce and Agriculture.

**HR 292** (by Craddick), Congratulating Charles and Douglas Ann Blue on their golden wedding anniversary.

**HR 293** (by Craddick), Congratulating Charlie and Bernice Passur on their golden wedding anniversary.

**HR 294** (by Craddick), Congratulating Bill and Bobbie Simmons on their 60th wedding anniversary.

**HR 295** (by Craddick), Congratulating Bob and Carolyn Clark on their 50th wedding anniversary.

**HR 296** (by Craddick), Congratulating Knoxie Gore and Charles Gore, Jr., on their 50th wedding anniversary.

**HR 297** (by Craddick), Congratulating David and Shirley Halfmann on their 50th wedding anniversary.

**HR 298** (by Craddick), Congratulating George and Doris Schwartz on their 50th wedding anniversary.

**HR 299** (by Craddick), Congratulating A. D. and Mary Reed on their 50th wedding anniversary.

**HR 300** (by Craddick), Congratulating Jack and Dorothy Stovall on their 50th wedding anniversary.

**HR 301** (by Craddick), Congratulating Gaylon and Dora Lee Winkler of Monahans on their 50th wedding anniversary.

**HR 302** (by Craddick), Congratulating Horace and Alto West on their 65th wedding anniversary.

**HR 303** (by Craddick), Congratulating Otto and Ida Lisenbee on their 72nd wedding anniversary.

**HR 304** (by Craddick), Congratulating Lance and Amelia Furlow on their 68th wedding anniversary.

**HR 305** (by Craddick), Congratulating Otha and Veneda Brown on their 50th wedding anniversary.

**HR 306** (by Craddick), Congratulating Dale and Dorothy Kidd on their 60th wedding anniversary.

**HR 307** (by Craddick), Congratulating Hank and Thelma Myers on their golden wedding anniversary.

**HR 308** (by Craddick), Congratulating Eddie and Clea Hughes on their golden wedding anniversary.

**HR 309** (by Craddick), Congratulating Layton and Joyce Oliver on their golden wedding anniversary.

**HR 310** (by Craddick), Congratulating Carlos and Guadalupe Perez on their golden wedding anniversary.

**HR 311** (by Craddick), Congratulating Dick and LaVera Mitchell on their golden wedding anniversary.

**HR 312** (by Craddick), Congratulating Gib and Sarah Sherman on their golden wedding anniversary.

**HR 357** (by Hughes), Congratulating Harrison Westmoreland of Marshall for winning first place in the 125 Amateur Class of the Texas Cross Country Racing Association.

**HR 358** (by Hughes), Commending Mildred Castell of Marshall on her retirement and congratulating Mildred and Harvey Castell on their 57th wedding anniversary.

**HR 362** (by B. Cook), Honoring the Reverend Dairy G. Johnson on the occasion of his 20th anniversary with Bethlehem Missionary Baptist Church in Corsicana.

**HR 364** (by Anchia), Honoring Arturo Violante of Arlington for his civic and professional accomplishments.

**HR 365** (by Anchia), Honoring Reginald Gates of Dallas.

**HR 367** (by Bohac), Commemorating the grand opening of the Czech Cultural Center Houston.

**HR 368** (by Bohac), Honoring Wally and Barbara Bircher of Houston on their 50th wedding anniversary.

The resolutions were adopted.

The following memorial resolutions were laid before the house:

**HR 206** (by Quintanilla), In memory of Alicia Montes of San Elizario.

**HR 208** (by Quintanilla), In memory of Manuel Trejo of El Paso.

**HR 209** (by Quintanilla), In memory of Katherine Guerra of San Elizario.

**HR 216** was withdrawn.

**HR 219** (by Peña and Gonzales), In memory of Benito G. Rodriguez of Edinburg.

**HR 221** (by Raymond), In memory of U.S. Marine Lance Corporal Juan Rodrigo Rodriguez of Laredo.

**HR 226** (by Goolsby), In memory of Edmund Reynolds Wood of Dallas.

**HR 245** (by Bohac), In memory of Ralph Edward Smith, Sr., of Houston.

**HR 253** (by W. Smith and Taylor), Honoring the life of William Frank Crocker of Galveston County.

**HR 261** (by Martinez Fischer), In memory of Roger Anthony Flores II of San Antonio.

**HR 268** (by Gattis), In memory of Calvin Luther Chance, Sr., of Williamson County.

**HR 269** was withdrawn.

**HR 271** was withdrawn.

**HR 273** (by Kolkhorst), Honoring the life of Mary Pilger Giles of Iola.

**HR 277** was withdrawn.

**HR 278** (By Quintanilla), In memory of Mike Franco of Clint.

**HR 279** (by Quintanilla), In memory of Guillermo D. Franco of Clint.

**HR 280** (by Quintanilla), In memory of William Holland Rutherford, Jr., of El Paso.

**HR 283** (by Ritter), Honoring the life of Anthony Joseph Ippolito of Port Arthur.

**HR 314** (by W. Smith), In memory of Nancy Riley Whatley Mundinger of Baytown.

**HR 315** (by Gallego), In memory of Bill Golden of Alpine.

**HR 363** (by Anchia), In memory of U.S. Marine Lance Corporal Nazario Serrano of Irving.

**HR 366** (by Bohac), Honoring the life of Major Leo Telchik, Sr., U.S. Army (Ret.), of Houston.

**HCR 47** was withdrawn.

**HCR 62** (by Hughes), In memory of Dr. Edmund Whetstone Robb, Jr., of Marshall.

**HCR 67** (by Peña), In memory of Dr. Carlos Ramon Saca of Edinburg.

The resolutions were unanimously adopted by a rising vote.

### **MOTION TO ADD NAMES**

On motion of Representative W. Smith, the names of all the members of the house were added to the resolutions on today's congratulatory and memorial calendar as signers thereof.

### **GENERAL STATE CALENDAR**

#### **HOUSE BILLS**

#### **THIRD READING**

The following bills were laid before the house and read third time:

#### **HB 160 ON THIRD READING**

**(by McCall, et al.)**

**HB 160**, A bill to be entitled An Act relating to motor vehicles equipped with recording devices.

(Speaker in the chair)

A record vote was requested.

**HB 160** was passed by (Record 33): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen, A.; Allen, R.; Alonzo; Anchia; Anderson; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Tourelles; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hegar; Herrero; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Olivo; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bailey; Denny; Farrar.

Absent — Corte; Hartnett; Hilderbran; Oliveira.

**GENERAL STATE CALENDAR  
HOUSE BILLS  
SECOND READING**

The following bills were laid before the house and read second time:

**HB 259 ON SECOND READING**

**(by Elkins, Bonnen, Hughes, Riddle, J. Keffer, et al.)**

**HB 259**, A bill to be entitled An Act relating to the powers of a county, municipality, or local entity with respect to the regulation of traffic on highways under its jurisdiction.

A record vote was requested.

**HB 259** was passed to engrossment by (Record 34): 109 Yeas, 30 Nays, 1 Present, not voting.

Yeas — Alonzo; Anchia; Anderson; Baxter; Blake; Bohac; Bonnen; Branch; Brown, B.; Callegari; Campbell; Casteel; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Delisi; Deshotel; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Escobar; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Grusendorf; Guillen; Hamilton; Hamric; Hardcastle; Hartnett; Hegar; Herrero; Hilderbran; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jones, J.; Keel; Keffer, J.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Leibowitz; Martinez; Martinez Fischer; McClendon; McReynolds; Merritt; Miller; Moreno, J.; Naishtat; Nixon; Noriega, M.; Olivo; Orr; Otto; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Zedler.

Nays — Allen, A.; Allen, R.; Berman; Burnam; Castro; Dawson; Driver; Farabee; Goolsby; Griggs; Harper-Brown; Hill; Hochberg; Jackson; Jones, D.; Keffer, B.; King, P.; Laubenberg; Luna; Madden; McCall; Menendez; Morrison; Mowery; Paxton; Smith, T.; Vo; West; Wong; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bailey; Denny; Farrar.

Absent — Brown, F.; Flores; Haggerty; Hodge; Homer; Moreno, P.; Oliveira.

**STATEMENTS OF VOTE**

I was shown voting no on Record No. 34. I intended to vote yes.

Burnam

I was shown voting no on Record No. 34. I intended to vote yes.

Castro

When Record No. 34 was taken, my vote failed to register. I would have voted yes.

Homer

### **REASON FOR VOTE**

This bill repeals a general law change from last session that was effected through a surreptitious amendment. That amendment was not fully and truthfully explained to the members of this body and usurped the will of the house as demonstrated by numerous previous votes the house took on the issue as stand alone bills.

The installation of cameras to photograph motor vehicles is utilized by municipalities as an excuse to further underfund police agencies. If cities are genuinely interested in saving lives, they will make public safety a priority and adequately fund police departments, many of which remain far below the accepted ratio of officers per population. Cameras will not detain a single reckless driver or take a single drunk driver off the road.

Opposition to this bill is driven by private vendors who stand to make money based upon a contingency arrangement with cities in divvying up fines. Such arrangements privatize a government function regarding the enforcement of the law, and completely remove the element of discretion. This is unwise.

There are many legitimate reasons a motorist may lawfully proceed into an intersection, e.g., to avoid an errant pedestrian or bicyclist, emergency personnel, construction obstacles, or even to allow a larger vehicle to turn. These and many other valid defenses will not be excused by a camera. Nor will cameras necessarily punish the driver, but instead, in many cases, merely the owner. It will have no effect on unlawful operators of vehicles such as car thieves, or on drivers of leased vehicles, teenage drivers, or any other of the myriad of non-owner drivers. But it will always be the owner who will be placed in the unenviable position of either simply paying the fine, or spending time and personal expense to prove his innocence under time-consuming and inconvenient circumstances.

I appreciate the advancement of this bill by Representative Elkins also for the reason that it serves to uphold the integrity of the house.

Keel

### **CSHB 266 ON SECOND READING (by W. Smith)**

**CSHB 266**, A bill to be entitled An Act relating to the time for processing a county building permit.

**CSHB 266** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: D. Jones recorded voting no.)

**CSHB 266 - REASON FOR VOTE**

I am concerned that this bill does not contain a provision which clearly states that an application must be completed before a county department must respond. By passing this legislation, we run the risk of hurting counties and builders. Builders may find that counties will deny more permits because applications are not complete yet they are under the gun to make a decision. This will ultimately cost builders more money in permitting fees because they will have to reapply.

Castro

**RULES SUSPENDED**

Representative J. Keffer moved to suspend all necessary rules to allow the Committee on Ways and Means to meet.

The motion prevailed.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Ways and Means, upon adjournment Monday, February 28, E2.030, for a public hearing, to consider **HB 3**.

**PROVIDING FOR ADJOURNMENT**

Representative Hodge moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. Monday, February 28 in memory of Sophia Williams of Tyler.

The motion prevailed.

**BILLS AND JOINT RESOLUTIONS ON FIRST READING  
AND REFERRAL TO COMMITTEES  
RESOLUTIONS REFERRED TO COMMITTEES  
CORRECTIONS IN REFERRAL**

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. Pursuant to Rule 1, Section 4 of the House Rules, the chair at this time corrected the referral of measures to committees. (See the addendum to the daily journal, Referred to Committees, List Nos. 1 and 2.)

(Harper-Brown in the chair)

**ADJOURNMENT**

In accordance with a previous motion, the house, at 12:10 p.m., adjourned until 10 a.m. Monday, February 28.

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**ADDENDUM**

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**REFERRED TO COMMITTEES**

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

**List No. 1**

**HB 8** (By Nixon), Relating to civil claims involving exposure to asbestos and silica.

To Civil Practices.

**HB 1304** (By Wong), Relating to sanitation requirements for certain barbering and cosmetology services.

To Government Reform.

**HB 1376** (By J. Jones), Relating to criminal history record checks for potential residents of nursing homes.

To Human Services.

**HB 1377** (By J. Jones), Relating to the maintenance of area agencies on aging that provide services for the aging and persons with disabilities.

To Human Services.

**HB 1378** (By J. Jones), Relating to the fee for reinstatement or issuance of a driver's license following a license suspension or denial for failure to pass a test for intoxication.

To Law Enforcement.

**HB 1379** (By J. Jones), Relating to the admissibility in a civil action of certain information relating to identify theft.

To Business and Industry.

**HB 1380** (By J. Jones), Relating to the creation of renaissance zones to promote the relocation of businesses to certain areas of this state.

To Business and Industry.

**HB 1381** (By J. Jones), Relating to the regulation of the location of industrialized housing and buildings by municipalities.

To Licensing and Administrative Procedures.

**HB 1382** (By J. Jones), Relating to notice of cancellation of a voter's registration.

To Elections.

**HB 1383** (By J. Jones), Relating to a study of the expenses of health care for certain elderly inmates.

To Corrections.

**HB 1384** (By Edwards), Relating to reimbursements to certain urban hospitals under the disproportionate share program.

To Public Health.

**HB 1385** (By Hartnett), Relating to a governmental unit's liability for attorney's fees and costs in a declaratory judgment proceeding.

To Civil Practices.

**HB 1386** (By Bonnen), Relating to an exemption from the requirement to be licensed as an electrician for persons performing certain industrial work.

To Licensing and Administrative Procedures.

**HB 1387** (By Thompson), Relating to the requirement of a net benefit in connection with a home loan that refinances an existing loan.

To Financial Institutions.

**HB 1388** (By Leibowitz), Relating to the punishment of the offense of assault committed by a person against the person's family or household members.

To Criminal Jurisprudence.

**HB 1389** (By Leibowitz), Relating to the provision of notary public service at certain housing developments.

To Business and Industry.

**HB 1390** (By Leibowitz), Relating to the minimum amounts of motor vehicle liability insurance coverage required to establish financial responsibility.

To Insurance.

**HB 1391** (By Leibowitz), Relating to the type of homes that may be financed under certain veterans' assistance programs.

To Defense Affairs and State-Federal Relations.

**HB 1392** (By Leibowitz), Relating to a refund of motor fuel taxes paid by certain retail purchasers.

To Ways and Means.

**HB 1393** (By Flores), Relating to the regulation of certain investigators by the Texas Private Security Board.

To Licensing and Administrative Procedures.

**HB 1394** (By Zedler), Relating to the appointment of magistrates to serve the municipal court of record in Kennedale.

To Judiciary.

**HB 1395** (By Zedler), Relating to the authority of chiropractors to form certain business entities with certain other professionals.

To Public Health.

**HB 1396** (By Zedler), Relating to a pilot program for language interpreter services under the medical assistance program.

To Public Health.

**HB 1397** (By Kuempel), Relating to the exclusion of sand and gravel as a mineral for leasing on state land.

To Land and Resource Management.

**HB 1398** (By Jackson), Relating to the waiver of penalties and interest on a delinquent ad valorem tax.

To Ways and Means.

**HB 1399** (By Dutton), Relating to notice of a landlord's motor vehicle towing rules and policies and to liability arising from certain actions of a towing service.

To Urban Affairs.

**HB 1400** (By Dutton), Relating to discovery procedures for a claim against a governmental entity under the Texas Tort Claims Act.

To Civil Practices.

**HB 1401** (By Dunnam), Relating to the application of the franchise tax.

To Ways and Means.

**HB 1402** (By Kolkhorst), Relating to requiring a voter to present proof of identification.

To Elections.

**HB 1403** (By Deshotel), Relating to the board of port commissioners of the Port of Beaumont Navigation District of Jefferson County.

To Transportation.

**HB 1404** (By Deshotel), Relating to the fees collected by a county clerk for certain filings in pending probate actions.

To Judiciary.

**HB 1405** (By Vo), Relating to requiring continuing education for teachers in the detection of child abuse and neglect.

To Public Education.

**HB 1406** (By Vo), Relating to the availability of automated external defibrillators at certain public school campuses.

To Public Education.

**HB 1407** (By McReynolds), Relating to an exemption from tuition and fees at public institutions of higher education for children of certain employees of the Texas Forest Service with fire-fighting, rescue, or other special duties who are killed or disabled in the line of duty.

To Higher Education.

**HB 1408** (By Mowery), Relating to land use provisions restricting the sale, manufacture, distribution, or use of fireworks in certain counties.

To Land and Resource Management.

**HB 1409** (By Coleman), Relating to the authority to change the name of component institutions of The Texas A&M University System.

To Higher Education.

**HB 1410** (By Campbell), Relating to annual state salary supplements for county judges.

To Judiciary.

**HB 1411** (By Campbell), Relating to the provision of broadband services.  
To Regulated Industries.

**HB 1412** (By Haggerty), Relating to the recreational facility fee at The University of Texas at El Paso.  
To Higher Education.

**HB 1413** (By Truitt), Relating to the continuation and functions of the Texas State Board of Examiners of Marriage and Family Therapists.  
To Public Health.

**HB 1414** (By Rodriguez), Relating to the date the early voting ballot board shall convene to count certain ballots voted by mail.  
To Elections.

**HB 1415** (By Dunnam), Relating to certain procedures following a violation of community supervision.  
To Criminal Jurisprudence.

**HB 1416** (By Martinez, Gonzales, Solis, Peña, Rodriguez, et al.), Relating to health insurance benefits provided to certain public school retirees and their dependents.  
To Pensions and Investments.

**HB 1417** (By Keel and Chavez), Relating to authorizing certain gaming activity conducted by an Indian tribe or tribal organization.  
To Criminal Jurisprudence.

**HB 1418** (By Gonzalez Toureilles and Herrero), Relating to the justice court technology fund.  
To Judiciary.

**HB 1419** (By Blake), Relating to authorizing the issuance of revenue bonds for Stephen F. Austin State University.  
To Higher Education.

**HB 1420** (By Phillips), Relating to the release of certain information by the Teacher Retirement System of Texas to associations of retired school employees; providing a civil penalty.  
To Pensions and Investments.

**HB 1421** (By Hodge), Relating to the restoration of good conduct time forfeited during a term of imprisonment.  
To Corrections.

**HB 1422** (By Hodge), Relating to the use of tobacco products and cigarettes on property owned, used, or controlled by the Texas Department of Criminal Justice.  
To Corrections.

**HB 1423** (By Hodge), Relating to the duration of the placement of an inmate in administrative segregation at the institutional division of the Texas Department of Criminal Justice.  
To Corrections.

**HB 1424** (By Hodge), Relating to certain writs of habeas corpus based solely on a claim of a time-served credit error.

To Criminal Jurisprudence.

**HB 1425** (By Hodge), Relating to procedures and evidence in a hearing on a motion in a criminal case to suppress evidence, a confession, or a statement.

To Criminal Jurisprudence.

**HB 1426** (By Anderson), Relating to the confidentiality of certain information in a rabies vaccination certificate.

To Agriculture and Livestock.

**HB 1427** (By McClendon and Turner), Relating to authorizing the issuance of revenue bonds for Texas Southern University for campus facilities and infrastructure.

To Higher Education.

**HB 1428** (By Isett), Relating to injury leave for certain state peace officers injured in the course of performance of duty.

To County Affairs.

**HB 1429** (By Kuempel), Relating to the enforcement of the prohibition on operating certain rock crushers or concrete plants without the necessary Clean Air Act permit.

To Environmental Regulation.

**HB 1430** (By McCall), Relating to the installation, copying, or use of computer software for unauthorized purposes; providing a penalty.

To Business and Industry.

**HB 1431** (By Frost), Relating to the issuance of revenue bonds for Texas A&M University–Texarkana.

To Higher Education.

**HB 1432** (By Laubenberg, et al.), Relating to the regulation of dental assistants who make dental x-rays.

To Public Health.

**HB 1433** (By Goolsby), Relating to the provision of a violent or sexually explicit video game to a minor; providing criminal penalties.

To Business and Industry.

**HB 1434** (By Hamric), Relating to the continuation and functions of the Texas Lottery Commission.

To Licensing and Administrative Procedures.

**HB 1435** (By Hamric), Relating to the administration and functions of the Texas State Board of Podiatric Medical Examiners.

To Public Health.

**HB 1436** (By Hamric), Relating to the regulation of barbers and cosmetologists by the Texas Board of Barbering and Cosmetology and the abolition of the State Board of Barber Examiners and the Texas Cosmetology Commission.

To Government Reform.

**HB 1437** (By Talton), Relating to the towing of motor vehicles at the request of certain municipal employees.

To Transportation.

**HB 1438** (By Talton), Relating to continuing education for peace officers.

To Law Enforcement.

**HB 1439** (By Talton), Relating to rates and rating plans for automobile insurance.

To Insurance.

**HB 1440** (By Bohac), Relating to the prosecution and adjudication of the offense of graffiti and to the payment and use of a juvenile delinquency prevention fee.

To Criminal Jurisprudence.

**HB 1441** (By Bohac), Relating to the reporting of information regarding debt incurred for necessary medical treatment.

To Business and Industry.

**HB 1442** (By Bohac), Relating to a requirement that school districts publish certain information at the beginning of each school year.

To Public Education.

**HB 1443** (By Dutton), Relating to exempting certain general academic teaching institutions from the requirement that certain high school graduates be granted automatic admission.

To Public Education.

**HB 1444** (By Berman), Relating to boundaries of emergency services districts.

To County Affairs.

**HB 1445** (By Madden), Relating to the creation and operation of a state virtual school network to provide education through electronic means to public school students.

To Public Education.

**HB 1446** (By Orr), Relating to priority of payment relating to property owners' association assessments.

To Business and Industry.

**HB 1447** (By Homer), Relating to permits for the commercial composting of grease trap waste.

To Environmental Regulation.

**HB 1448** (By Homer), Relating to the hours of sale and consumption of wine at a winery.

To Licensing and Administrative Procedures.

**HB 1449** (By Dutton and Goodman), Relating to suits affecting the parent-child relationship, including proceedings for the establishment, modification, and enforcement of child support; providing an administrative penalty.

To Juvenile Justice and Family Issues.

**HB 1450** (By Farabee), Relating to the creation of the TexasNextStep grant program to pay tuition and required fees and textbook costs of certain students enrolled in two-year public institutions of higher education in this state.

To Higher Education.

**HB 1451** (By Farabee), Relating to authorizing the issuance of revenue bonds for utility infrastructure and campus renovations at Midwestern State University.

To Higher Education.

**HB 1573** (By Geren), Relating to the definition of the practice of architecture.

To Licensing and Administrative Procedures.

**HJR 51** (By Flores), Proposing a constitutional amendment authorizing casino gaming.

To Ways and Means.

**HJR 52** (By Flynn), Proposing a constitutional amendment lowering the minimum amount of debit or advance allowed under a home equity line of credit.

To Financial Institutions.

Pursuant to Rule 1, Section 4 of the House Rules, the chair corrects the referral of the following bills and resolutions:

**HB 108** (By Wong and Howard), Relating to limiting the maximum average annual increase in the appraised value of real property for ad valorem tax purposes to five percent.

To Ways and Means.

**HB 114** (By Wong), Relating to the rate at which interest accrues in connection with the deferral or abatement of the collection of ad valorem taxes on the residence homestead of an elderly or disabled person.

To Ways and Means.

**HB 315** (By Olivo, et al.), Relating to criteria for voluntary admission to state schools for persons with mental retardation.

To Human Services.

**HCR 55** (By Rose), Designating Blanco the Lavender Capital of Texas.

To Culture, Recreation , and Tourism.

**HCR 56** (By Rose), Designating Buda as the official Outdoor Capital of Texas.

To Culture, Recreation, and Tourism.

**HJR 16** (By Wong), Proposing a constitutional amendment authorizing the legislature to limit the maximum average annual increase in the appraised value of real property for ad valorem tax purposes to five percent or more.

To Ways and Means.

**List No. 2**

**HR 317** (By Craddick), Congratulating Carey and Lola Tramel on their 60th wedding anniversary.

To Rules and Resolutions.

**HR 318** (By Craddick), Congratulating Hubert and Letha Marie Benton on their 70th wedding anniversary.

To Rules and Resolutions.

**HR 319** (By Craddick), Congratulating R. E. and Gladys Womack on their 69th wedding anniversary.

To Rules and Resolutions.

**HR 320** (By Craddick), Congratulating Howard and Geneva Berry on their 65th wedding anniversary.

To Rules and Resolutions.

**HR 321** (By Craddick), Congratulating Edward and Martha Johnson on their 65th wedding anniversary.

To Rules and Resolutions.

**HR 322** (By Craddick), Congratulating Ralph and Ladie Fred Caffey on their 60th wedding anniversary.

To Rules and Resolutions.

**HR 323** (By Craddick), Congratulating James and Martha Jo Kiene on their 60th wedding anniversary.

To Rules and Resolutions.

**HR 324** (By Craddick), Congratulating Ken and LaVoe Peeler on their 55th wedding anniversary.

To Rules and Resolutions.

**HR 325** (By Craddick), Congratulating Wayman and Regina Corbell on their golden wedding anniversary.

To Rules and Resolutions.

**HR 326** (By Craddick), Congratulating George and Marilyn Dunton on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 327** (By Craddick), Congratulating Jim and Jean Evans on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 328** (By Craddick), Congratulating Larry and Charlene Gnagy on their golden wedding anniversary.

To Rules and Resolutions.

**HR 329** (By Craddick), Congratulating Louis and Ramona Dominguez on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 330** (By Craddick), Congratulating Harold and JoElla Briscoe on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 331** (By Craddick), Congratulating the Reverend Dr. F. Ray and Jane Riddle on their 60th wedding anniversary.

To Rules and Resolutions.

**HR 332** (By Craddick), Congratulating Walter and Dona Bea Schneider on their 60th wedding anniversary.

To Rules and Resolutions.

**HR 333** (By Craddick), Congratulating Jesse and Lila Roberson on their 60th wedding anniversary.

To Rules and Resolutions.

**HR 334** (By Craddick), Congratulating Pat and Mary Yocham on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 335** (By Craddick), Congratulating Edward and Jane Wooten on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 336** (By Craddick), Congratulating Harold and Mary White on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 337** (By Craddick), Congratulating Bill and Betty Williams on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 338** (By Craddick), Congratulating Bruce and Maxine Skaggs on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 339** (By Craddick), Congratulating Davis and Mary Nan Payne on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 340** (By Craddick), Congratulating Bob and Liz McCurdy on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 341** (By Craddick), Congratulating Gary and Jan Owen on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 342** (By Craddick), Congratulating Rodney and Mildred Maxson on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 343** (By Craddick), Congratulating Raymond and Carolyn Nicholas on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 344** (By Craddick), Congratulating John and Betty Marlow on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 345** (By Craddick), Congratulating James and Barbara Luedecke on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 346** (By Craddick), Congratulating Willie and Jewel Murphree on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 347** (By Craddick), Congratulating Gus and Pat Keller on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 348** (By Craddick), Congratulating Wade and Ruby Mitchell on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 349** (By Craddick), Congratulating Bernie and Pat Keaton on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 350** (By Craddick), Congratulating Johnny and Patsy Jones on the occasion of their 50th wedding anniversary.

To Rules and Resolutions.

**HR 351** (By Craddick), Congratulating Eddie and Chata Mee on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 352** (By Craddick), Congratulating Samuel and Lora Jean Howard on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 353** (By Craddick), Congratulating Frances Haley and Evetts Haley, Jr., on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 354** (By Craddick), Congratulating Johnny Sam and Mary Jo McDonald on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 355** (By Craddick), Congratulating Merv and Jody Hale on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 356** (By Craddick), Congratulating Richard and Marge Hagelstein on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 370** (By Craddick), Congratulating Bill and Peggy Williams on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 371** (By Craddick), Congratulating Bob and Patricia Thames on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 372** (By Gonzalez Toureilles), Honoring Jack and James Bradford of Alice.

To Rules and Resolutions.

**HR 373** (By Gonzalez Toureilles), In memory of Clementina B. Marmolejo of Alice.

To Rules and Resolutions.

**HR 375** (By W. Smith), In memory of Murtie Carnes Petty of Baytown.

To Rules and Resolutions.

**HR 376** (By Villarreal), Honoring FuDDRuckers on its 25th anniversary.

To Rules and Resolutions.

**HR 378** (By B. Brown), Honoring Paralympian Randy Snow of Terrell.

To Rules and Resolutions.

**HR 380** (By B. Brown), In memory of U.S. Army Specialist Chad Drake.

To Rules and Resolutions.

**HR 382** (By Gattis), In memory of Corporal Joseph E. Fite of Round Rock.

To Rules and Resolutions.

**HR 383** (By Gattis), In memory of the Honorable William R. Stump, Sr., of Georgetown.

To Rules and Resolutions.

**HR 387** (By Flores), Honoring Mission's annual Texas Citrus Fiesta.

To Rules and Resolutions.

**HR 391** (By Raymond), Honoring J. C. "Pepe" Trevino of Laredo for his contributions to his community.

To Rules and Resolutions.

**HR 392** (By Hodge), In memory of James W. Holbrook, Jr., of Dallas.

To Rules and Resolutions.

**HR 393** (By Pickett), Commending Carolina Ramos of El Paso on her achievements during her many years of service with the Texas Parks and Wildlife Department.

To Rules and Resolutions.

**HR 394** (By Goolsby), In memory of Dr. George Nathan Aldredge, Jr., of Dallas.

To Rules and Resolutions.

**HR 396** (By Solis), Honoring All-Valley Coach of the Year Mario Pena of San Benito.

To Rules and Resolutions.

**HR 399** (By Craddick), Honoring John and Melba Webb of Stanton on the occasion of their 50th wedding anniversary.

To Rules and Resolutions.

**HR 400** (By Craddick), Honoring Sonny and Jackie Whalin of Midland on the occasion of their 50th wedding anniversary.

To Rules and Resolutions.

**HR 401** (By Craddick), Honoring Frank and Kathie Wiley of Lamesa on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 402** (By Craddick), Congratulating Allen and Sue Day of Midland on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 403** (By Craddick), Congratulating Jack and Ida Paxton of Midland on their 60th wedding anniversary.

To Rules and Resolutions.

**HR 404** (By Craddick), Congratulating Gary and Rene Laughlin on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 405** (By Craddick), Honoring Eldon and Georgia Welch of Tarzan on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 406** (By Craddick), Congratulating Richard M. "Dick" and Mary Pemberton of Midland on their 75th wedding anniversary.

To Rules and Resolutions.

**HR 407** (By Craddick), Honoring Wayne and Ginny Piette on the occasion of their 50th wedding anniversary.

To Rules and Resolutions.

**HR 408** (By Craddick), Honoring Charles and JoAnn Schoolcraft of Midland on the occasion of their 50th wedding anniversary.

To Rules and Resolutions.

**HR 409** (By Craddick), Honoring Bennie and Sue Richey of Midland on the occasion of their 50th wedding anniversary.

To Rules and Resolutions.

**HR 410** (By Craddick), Honoring E. V. and Frances Scott of Midland on the occasion of their 50th wedding anniversary.

To Rules and Resolutions.

**HR 411** (By Craddick), Honoring Alex and Ila Ewing of Midland on the occasion of their 60th wedding anniversary.

To Rules and Resolutions.

**HR 412** (By Craddick), Honoring Isabel and Billie R. Proctor, Sr., on the occasion of their 60th wedding anniversary.

To Rules and Resolutions.

**HR 413** (By Craddick), Recognizing Clarence and Mary Johnson of Midland on their 50th anniversary.

To Rules and Resolutions.

**HR 414** (By Craddick), Honoring Robert and Leota Birth of Midland on the occasion of their 60th wedding anniversary.

To Rules and Resolutions.

**HR 415** (By Craddick), Honoring Arnold and Charlene Keune of Lamesa on the occasion of their 50th wedding anniversary.

To Rules and Resolutions.

**HR 416** (By Craddick), Honoring Barry and Helen Tisdale of Midland on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 417** (By Craddick), Honoring Sanford and Patsy Boardman of Lamesa on their 50th anniversary.

To Rules and Resolutions.

**HR 419** (By Farabee), Honoring Fire Chief Danny Skinner on his retirement from the Iowa Park Fire Department.

To Rules and Resolutions.

**HR 421** (By Zedler), Honoring Garland and Ruby Curry of Kennedale on the occasion of their 50th wedding anniversary.

To Rules and Resolutions.

**HR 422** (By Corte), Recognizing May 1-7, 2005, as Brain Tumor Action Week.

To Rules and Resolutions.

**HR 423** (By Quintanilla), In memory of Rosenda Garcia of Fabens.

To Rules and Resolutions.

**HR 424** (By Quintanilla), In memory of Florentina Dearo of San Elizario.

To Rules and Resolutions.

**HR 425** (By Quintanilla), In memory of Ana Maria Gardea Cano of Tornillo.

To Rules and Resolutions.

**HR 426** (By Quintanilla), In memory of Enedina Rivera.

To Rules and Resolutions.

**HR 427** (By Quintanilla), In memory of U.S. Marine Cristobal Cano of Clint.

To Rules and Resolutions.

**HR 428** (By Anchia), Honoring Vicki Keene of Dallas for her contributions in behalf of the Kidd Springs community.

To Rules and Resolutions.

**HR 429** (By Anchia), Congratulating Barbara Miller of Dallas on her participation with the Dallas Crime Watch program.

To Rules and Resolutions.

**HR 430** (By Martinez Fischer), In memory of Candelaria Dominguez of San Antonio.

To Rules and Resolutions.

**HR 431** (By Martinez Fischer), Commemorating the closing of St. Martin Hall's middle school program.

To Rules and Resolutions.

**HR 432** (By Martinez Fischer), Honoring Jamey Baumgartner, Long Bui, Adam Newman, Andy Weiss, and David Wheelus.

To Rules and Resolutions.

**HR 433** (By Martinez Fischer), Honoring Edward E. Whitacre, Jr., of San Antonio for his professional contributions.

To Rules and Resolutions.

**HR 434** (By Hilderbran), Honoring the life of John Studer Graves of Uvalde.

To Rules and Resolutions.

**HR 435** (By Hilderbran), Honoring the life of Clifton "Cliff" A. Greeson.

To Rules and Resolutions.

**HR 436** (By Hilderbran), Honoring the Richland Springs High School football team for winning the 2004 State Championship.

To Rules and Resolutions.

**HR 437** (By Hilderbran), In memory of Ashley Kulialeilani Lovell.

To Rules and Resolutions.

**HR 438** (By Martinez), Honoring Paula Lopez-Villanueva of Weslaco on her success in the waste management business.

To Rules and Resolutions.

**HR 439** (By Craddick), Honoring Walter and Florene Teinert of Midland on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 441** (By Anchia), Honoring Sharon Boyd of Dallas for her contributions to her community.

To Rules and Resolutions.

**HR 442** (By Dutton), In memory of U.S. Marine Staff Sergeant Dexter S. Kimble of Houston.

To Rules and Resolutions.

**HR 443** (By Quintanilla), In memory of Luz F. Rodriguez of Socorro.

To Rules and Resolutions.

**HR 444** (By Quintanilla), In memory of Carlos Escontrias of Socorro.

To Rules and Resolutions.

**HR 445** (By Quintanilla), In memory of Viviana Lopez of Clint.

To Rules and Resolutions.

**HR 446** (By Martinez Fischer), Honoring "Jesse" James Leija of San Antonio for an outstanding boxing career.

To Rules and Resolutions.

**HR 447** (By Naishtat), Honoring Carol Ann Nelson for her 25 years of service as band director of McCallum High School in Austin.

To Rules and Resolutions.

**HR 449** (By Solomons), Honoring Fran Brown of Carrollton on her appointment to the Texas Aging and Disability Services Council.

To Rules and Resolutions.

**HR 451** (By Gattis), Honoring Jack and Cammy Garey of Williamson County for their gift to the city of Georgetown.

To Rules and Resolutions.

**HR 454** (By Anchia), Congratulating the Children's Medical Center Dallas on being verified a Level 1 Trauma Center-Pediatric.

To Rules and Resolutions.

**HR 455** (By J. Jones), Honoring members of the Seagoville Chamber of Commerce on the occasion of their visit to the State Capitol.

To Rules and Resolutions.

**HR 457** (By Zedler), Honoring the Chamber Singers of Martin High School in Arlington on being selected to perform at the State Choir Director's Convention and the National Choir Director's Convention.

To Rules and Resolutions.

**HR 458** (By Deshotel), Congratulating Susan Elizabeth Fisher of Southwestern University on earning the Outstanding Accounting Student Award.

To Rules and Resolutions.

**HR 460** (By Anchia), Honoring Wilma Blanton Avalos of Dallas for her contributions to her community.

To Rules and Resolutions.

**HR 461** (By Solis), Congratulating the San Benito High School football team for an outstanding 2004 season.

To Rules and Resolutions.

**HR 462** (By Martinez), Congratulating Heriberto "Herbie" Lopez on being named to the Tejano R.O.O.T.S. Hall of Fame Class of 2004 Million Dollar Band.  
To Rules and Resolutions.

**HR 463** (By Gonzalez Toureilles), Honoring Dr. Ruben M. Garcia on receiving the MLK Humanitarian Award from the office of the mayor of Alice.  
To Rules and Resolutions.

**HR 465** (By Gonzalez Toureilles), Congratulating Leonard C. Smith of George West on his 101st birthday.  
To Rules and Resolutions.

**HR 467** (By Gonzalez Toureilles), Honoring Sam Houston Burris of Alice.  
To Rules and Resolutions.

**HR 468** (By Anderson), In memory of Alma Frieda Shannon of Waco.  
To Rules and Resolutions.

**HR 470** (By Gonzales), Congratulating Joe LaMantia, Jr., for receiving the Citizen of the Year award from The University of Texas Health Science Center at San Antonio's Regional Academic Health Center Medical Education Division.  
To Rules and Resolutions.

**HR 472** (By Frost), In memory of Robert Lee Waller of De Kalb.  
To Rules and Resolutions.

**HR 473** (By Craddick), Honoring William Robert Granberry and Susan Mattiza Granberry of Midland on their 40th wedding anniversary.  
To Rules and Resolutions.

**HR 476** (By Raymond), Congratulating Salvador A. Mercado of Laredo on his retirement from the Texas Department of Transportation.  
To Rules and Resolutions.

**HR 479** (By Solis), In memory of Judge Reynaldo Garza.  
To Rules and Resolutions.

**HR 480** (By Anchia), Honoring Pete Peabody of Dallas for his contributions to his community.  
To Rules and Resolutions.

**HR 482** (By Menendez), Honoring the life of Thomas L. Hatchett, Sr., and commemorating the dedication of the Thomas L. Hatchett, Sr. Elementary School in San Antonio.  
To Rules and Resolutions.

**HR 483** (By Phillips), In memory of Michael Tatar of Denison.  
To Rules and Resolutions.

**HR 484** (By Flynn), Recognizing March 9, 2005, as Van Zandt County Day at the State Capitol.  
To Rules and Resolutions.

**HR 485** (By Flynn), Recognizing March 30, 2005, as Hunt County Day at the State Capitol.

To Rules and Resolutions.

**HR 487** (By J. Moreno), In memory of Santos L. Fernandez of Denver Harbor.

To Rules and Resolutions.

**HR 488** (By Bonnen), Honoring the life of Captain Bill Reynaga of Lake Jackson.

To Rules and Resolutions.

**HR 489** (By Bonnen), Honoring Lucille Maes of Angleton on her receipt of the 2004 Administrator Award from the Texas Department of State Health Services.

To Rules and Resolutions.

**HR 490** (By Bonnen), Honoring Billy and Ottalie Richardson of Angleton on their 50th anniversary.

To Rules and Resolutions.

**HR 491** (By Bonnen), Honoring William Folsie of Angleton for taking part in the National Marrow Donor Program.

To Rules and Resolutions.

**HR 496** (By Harper-Brown), Honoring Kathy Burke of Irving on the occasion of her 60th birthday.

To Rules and Resolutions.

**HR 497** (By Harper-Brown), Honoring Morris and Marge Parrish for their outstanding civic contributions to the city of Irving.

To Rules and Resolutions.

**HR 498** (By Raymond), Honoring Martha C. Narvaez of Laredo for her accomplishments as an entrepreneur, community leader, and mother.

To Rules and Resolutions.

**HR 499** (By Corte), Honoring John and Birtie Stampley of San Antonio on the occasion of their 50th wedding anniversary.

To Rules and Resolutions.

**HR 500** (By Griggs), Recognizing the week of March 7-11, 2005, as Texas School Lunch Week.

To Rules and Resolutions.

**HR 501** (By Crownover), In memory of Troy and Sarah LaGrone of Denton.

To Rules and Resolutions.

**HR 503** (By Hodge), Honoring Bayles Elementary School in Dallas for its support of the Ferguson Road Initiative and the Claremont neighborhood.

To Rules and Resolutions.

**HR 504** (By Hodge), Recognizing Dale and Stella Schenk of Dallas for their support of the Ferguson Road Initiative.

To Rules and Resolutions.

**HR 505** (By Berman), Honoring Elmer G. Ellis on his induction into the Tyler Business Hall of Fame of Junior Achievement of the Greater Tyler Area.

To Rules and Resolutions.

**HR 506** (By Solis), Honoring Communities In Schools-Cameron County, Inc., on its 10th anniversary.

To Rules and Resolutions.

**HR 507** (By Solis), Honoring Yolanda DeLeon on the occasion of her retirement as county and district attorney of Cameron County.

To Rules and Resolutions.

**HR 510** (By Wong), Honoring Chief Joseph J. Bettega of the Bellaire Fire Department on the occasion of his retirement.

To Rules and Resolutions.

### **SIGNED BY THE SPEAKER**

The following bills and resolutions were today signed in the presence of the house by the speaker:

#### **House List No. 13**

**HCR 65, HCR 72**

### **MESSAGES FROM THE SENATE**

The following messages from the senate were today received by the house:

#### **Message No. 1**

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Wednesday, February 23, 2005

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

**HCR 28**

Baxter

SPONSOR: Wentworth

Honoring Philip A. Berkebile on his retirement from the Texas Daily Newspaper Association.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

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**APPENDIX**

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**STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

**February 23**

Elections - **HB 377**

Energy Resources - **HB 380**

Judiciary - **HB 230, HB 231, HB 593, HB 595, HB 596, HB 597**

Urban Affairs - **HB 263, HB 639**

**ENGROSSED**

**February 23 - HCR 59**

**ENROLLED**

**February 23 - HCR 65, HCR 72**